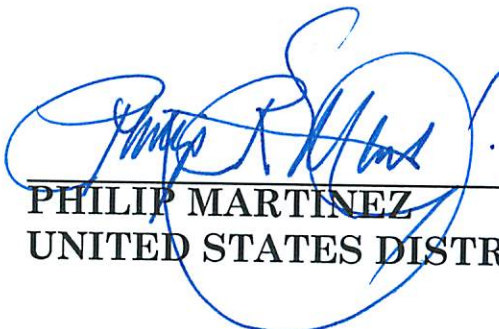


In its Motion, the City requests that the Court bifurcate the trial of the City and the Officer Defendants (Officers Mando Gomez, Pamela Smith, and Alberto Rivera). Mot. 1. In their Response, Plaintiffs argue that the City's request to bifurcate the trial setting is "premature." Resp. 2. This is because, they claim, "[w]ithout the benefit of discovery and a more fully developed record, it is difficult to evaluate the factors (convenience, prejudice and efficiency) bearing on a decision to bifurcate." *Id.* In its Reply, the City "concedes that the Court need not rule on its Motion at this time[.]" Reply 1. Further, the City states that because it does not seek a bifurcation of discovery, there is "no reason for the court to determine" the bifurcation issue at this stage. *Id.* at 2.

Thus, the Court concludes that Defendant's Motion should be denied without prejudice to re-file a similar motion at a later date.

Accordingly, **IT IS ORDERED** that Defendant City of El Paso, Texas's "Rule 42(b) Opposed Motion for Bifurcated Trial" (ECF No. 60) is **DENIED WITHOUT PREJUDICE**.

SIGNED this 15 day of December, 2017.



PHILIP MARTINEZ
UNITED STATES DISTRICT JUDGE